



Tony Evers, Governor
Dawn Crim, Secretary

December 27, 2019

Brian Flannery, Building Inspector
Town of Albany, Green County
N6065 County Road E
Albany, WI 53502-9524
brianflannery@outlook.com

VIA EMAIL

Re: Town of Albany, Green County Jurisdiction Request for Commercial Electrical Permitting and Inspecting

Dear Brian Flannery,

I am pleased to inform you that your municipality has met all the requirements under the provisions of Wis. Admin. Code § SPS 316.011(1) to exercise jurisdiction over the inspection of electrical wiring installations at farms, public buildings, places of employment, campgrounds, manufactured home communities, public marinas, piers, docks, or wharves and recreational vehicle parks.

Pursuant to Wis. Stat. §§ 101.02 (5) and (15) and 101.82 (2m), the Department delegates your municipality the primary responsibility to perform commercial electrical permitting and inspecting for all installations under Wis. Admin. Code § SPS 316.012(1)(a) to be constructed within the limits of your municipality. An exception to this delegation is that our agency retains jurisdiction for permitting and inspecting for all state-owned buildings pursuant to Wis. Stat. § 13.48(13).

As a condition of the delegation, you are required to comply with the following:

- Maintain your municipality's registration as an inspection agency.
- Provide the Department with a copy of any revisions to your municipality's electrical ordinance.
- Employ or contract with certified commercial electrical inspectors or independent inspection agencies.
- Provide the Department with any changes to the names of its certified commercial electrical inspectors and independent inspection agencies employed or contracted by the municipality.

Please note the following items to be addressed in your ordinance.

- §1.1.010(D) of your ordinance states that "In all cases, the most restrictive rule shall apply." A municipality cannot enforce requirements that are more restrictive than Wis. Admin. Code § SPS 316.
- §1.1.070(A)(2) specifies that no electrical work "shall be installed, altered or repaired without first securing a permit..." Note that no municipality may require a permit or inspection of any installation, repair, or maintenance of electrical wiring within an existing industrial facility or an existing manufacturing facility per the requirements of [Wis. Stat. §§ 101.82\(2m\)](#) and [101.875\(2\)](#). In addition, emergency work is allowed in accordance with [Wis. Admin. Code § SPS 316.012\(1\)\(b\)](#).
- §1.1.070(H) specifies permit expiration requirements that conflict with [Wis. Admin. Code § SPS 316.012\(3\)\(b\)](#).

If your municipality decides to relinquish jurisdiction, please follow the provisions of Wis. Admin. Code § SPS 316.011(1)(c) by providing the Department with a 60-day notice prior to the day upon which your municipality intends to relinquish jurisdiction.

I understand that you, Brian Flannery, will be the commercial electrical inspector responsible for enforcement and that you have the proper certification to do so.

Our electrical consultant for your area, Anthony Tadysak, at (262) 895-9078, is available to assist in any questions or concerns your municipality may have with implementing commercial permitting and inspecting services.

The Division of Industry Services looks forward to working with you.

Sincerely,

A handwritten signature in blue ink that reads "Michael D. McNally Jr." in a cursive script.

Michael D. McNally Jr.
Section Chief, Electrical Program

cc: Garry Krause, Bureau Director, Technical Services Bureau
Anthony "Tony" Tadysak, Electrical Consultant, Technical Services Bureau